

NOV-21-2003 FRI 09:13 AM ENANTA PHARMACEUTICALS

FAX NO. 6176070530

P. 08

Docket Number: ENP-030
Response to July 16, 2003 Action

Applicant : Or et al.
Serial No. : 09/976,219
Filed : October 12, 2001
Title : Page 8 of 9

REMARKS

Applicants would like to express their gratitude to Examiners Liu and Carlson for granting a telephonic interview for the instant patent application. Claims 15-17 and 19-21 remain pending in the instant patent application upon the entry of the amendments presented herewith. Applicants have cancelled claims 1-4, 11, and 18, amended claims 15-17, and presented new claims 20 and 21 in the instant response. Applicants make such amendments without prejudice to pursuing the originally presented or cancelled subject matter in a later application claiming benefit of this application, and particularly without prejudice to determination of equivalents of subject matter of this application or any later application claiming benefit of this application. No new matter has been added. Amendments to claims 15 and 16 find support in the paragraph beginning at line 4 on page 14 of the specification as originally filed. Newly presented claims find support in the claims as originally filed and in the paragraph beginning at line 22 at page 14 of the specification as originally filed.

Rejection Under 35 U.S.C. §102(b)

Applicants presented amendments to claims 15-17 in accordance with the interview conducted with Examiners Liu and Carlson. Applicants submit that the claim rejections no longer are applicable to the pending claims. Thus, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Rejection Under 35 U.S.C. §103(a)

Applicants have presented amendments to claims 15-17 in accordance with the interview conducted with Examiners Liu and Carlson. Applicants submit that the claim rejections no longer are applicable to the pending claims. Thus, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Provisional Rejection - Obviousness-Type Double Patenting

Applicants submit that Terminal Disclaimers have been filed over application serial numbers 09/800,856 and 09/975,923. Therefore, Applicants respectfully request that the rejection be reconsidered and withdrawn.

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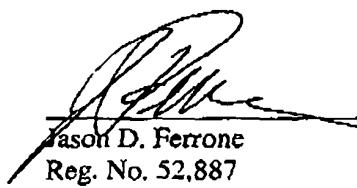
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Upon the allowance of the pending claims, Applicants respectfully request the rejoinder of the withdrawn method claims 12-14 to the instant application.

Applicants submit that the claims are in condition for allowance. Please charge the fee for a two month extension of time under 37 C.F.R. § 1.17 (a) (2) along with any other deficiencies to Enanta Pharmaceuticals, Inc., Deposit Account No. 50-2010, referencing Attorney Docket No. ENP-030.

Respectfully submitted,

Date: 11/21/2003



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